



THE CITY OF KEY WEST

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MEMORANDUM

EXECUTIVE SUMMARY

TO: Jim Scholl, City Manager
E. David Fernandez, Asst. City Manager – Operations

FROM: Jay Gewin, Utilities Manager

DATE: December 12, 2011

RE: **Approval and Authorization to execute Modification Number Four to Contract No. 09HM-37-11-54-02-030 with the Florida Division of Emergency Management to Reinstate and Extend the Term of the George Street Stormwater Pump Assisted Outfall Project Phase I Agreement to January 30, 2012.**

ACTION STATEMENT:

This resolution will approve Modification Number Four to reinstate and extend the term of Phase I Agreement for the design of the George Street Stormwater Pump Assisted Outfall Project (Contract number 09HM-37-11-54-02-030) to January 30, 2012.

BACKGROUND:

The City entered into a grant agreement with the State of Florida Division of Emergency Management/FEMA on February 18, 2009 (Resolution 09-006) for the design of a pump assisted stormwater system at George/1st Street.

The Phase I period of agreement began on June 24, 2008 and ended July 28, 2009. The agreement amount was \$235,000 (including \$7,240 in administrative costs) with a City match of \$84,240.

Modification Number One (Resolution 09-195, August 4, 2009) reinstated the agreement and extended the period of agreement to January 25, 2010.

CH2M Hill, the consultant responsible for designing the pump assisted stormwater system (Task Order 2-09-STM, Resolution 09-082, April 7, 2009), completed the design on schedule and all deliverables were submitted to FDEM by the January 25, 2010 due date.

Key to the Caribbean – Average yearly temperature 77° F.

Modification Number Two (Resolution 11-213, July 19, 2011) reinstated the agreement and extended the period of agreement to August 30, 2011. In addition, Federal Funds were increased by \$6,240.00 for a total of \$234,000.00 in Federal Funds. The main purpose of Modification Number Two was to allow time to redesign the outfall piping that is necessary to accommodate design changes to the Horace O'Bryant Middle School project.

Modification Number Three (Resolution 11-273, September 20, 2011) extended the period of agreement to November 30, 2011.

PURPOSE AND JUSTIFICATION

At FDEM's request, the City submitted a time extension request to extend the period of agreement. Additional time is needed for FDEM and FEMA review of the design and other Phase I deliverables submitted by the City on November 30, 2011.

The City provided its deliverables on time to the State, however, the State FDEM is requesting the City seek additional time to allow them to review our submittals prior to them being forwarded to FEMA. FEMA will review these documents and determine whether they will award funds for construction in Phase II of the grant.

OPTIONS / ADVANTAGES / DISADVANTAGES:

1. The City Commission can approve and authorize the execution of Modification Number Four. This will allow the period of agreement to be extended so that FDEM and FEMA will have sufficient time to review the design and other Phase I deliverables. City Staff recommends this option so that we can continue to proceed towards the construction phase of the project.
2. The City Commission can reject Modification Number Four. With this option, the Phase I period of agreement will not be extended leaving no valid grant agreement in place for the time needed by FDEM and FEMA to review and approve the Phase I deliverables. City Staff does not agree with this option, as it could greatly complicate our ability to proceed with the project.

FINANCIAL IMPACT:

No financial impacts are associated with the time extension in Modification Number Four.

RECOMMENDATION:

Staff recommends that the City Commission select option 1, approving Modification Number Four to extend the Phase I period of agreement to January 30, 2012.

JG/cds